

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINES & MINERALS – Mining Lease for Laterite and Clay over an extent of 7.50 Hectares in Sy. No.98/1; 98/2; 99 and etc. of Pedajadumuru (V), Chintapalli (M), Visakhapatnam District held by M/s. Modimamba Minerals – Declared as lapsed under rule 28 (1) of M.C Rules, 1960 - Orders – Issued.

INDUSTRIES & COMMERCE (M.II) DEPARTMENT

G.O.MS.No. 192

Dated: 20.11.2014

Read the following:

1. G.O.Ms.No.5, Ind. & Com (M-III) Dept.,dt.04.01.2002.
2. G.O.Ms.No.60, Ind. & Com (M-III) Dept.,dt.28.06.2010
3. From the DM&G., file bearing No.53333 /R1-2/2012,Dt:30.12.2013.
4. Govt. Memo No.19701/M.III(2)/2013-1, Dt:23.01.2014.

ORDER :

In the reference 2nd read above, Government have issued orders, transferring the Mining Lease for Laterite and Clay over an extent of 7.50 Hectares, in Sy. No.98/1 & 2, 99 and etc., of Pedajadumuru (V), Chintapalli (M), Visakhapatnam District a period of (20) years in favour of M/s. Modimamba Minerals from Smt.D.Kanthamma for the un-expired period up to 30.05.2022 and accordingly, the Assistant Director of Mines & Geology, Visakhapatnam executed the transfer lease deed on 24.08.2010.

2. In the reference third read above, the Director of Mines & Geology, Govt., of A.P., Hyderabad has submitted proposals for lapsing of the lease held by M/s. Modimamba Minerals under rule 28(1) of Mineral Concession Rules, 1960 on the following grounds, for consideration of the Government:

1. The lessee has not commenced the Mining Operations / discontinued the Mining Operations from more than two years. It attracts lapsed under Rule 28-A(1) of MC Rules, 1960.
2. The lessee has not erected the Boundary pillars and it is Breach of Rule 27 (1) (g) of MC Rules, 1960.
3. The lessee has not taken steps to restore Fauna & Flora. It is Breach of Rule 27 (1) (s) of MC Rules, 1960.
4. The lessee holder has not obtained Environmental Clearance which required as per S.O. No.60 (E), dated 27.01.2004 from Govt. of India.
5. The opencast Mining Conducted by the Lease holder is not in accordance with Rule 15 (1) of MCD & R 1988 which shall be implemented under Rule 27(1) (u) of MC Rules, 1960.
6. The opencast Mining Conducted by the Lease holder is not in accordance Mining Plan which is required under Rule 134 of MCD&R 1988 which shall be implemented under Rule 27(1) (u) of MC Rules, 1960.
7. The lessee holder has not furnished operating Notice Form-C which is required under Rule 22(1) of MCD&R 1988 which shall be implemented under Rule 27(1) (u) of MC Rules, 1960.
8. The lessee holder has not maintained the register, Returns & Accounts at Mines site. It is Breach of Rule 27 (i) of MC Rules, 1960.
9. The lessee holder is in Arrears of Mineral Revenue as detailed below:

	Surface Rent	Interest	5% market	Total
15,600	-	-	-	15,600

It is Breach of Rule 27 (1) (C) of MC Rules, 1960.

10. The lessee holder has not given Financial Assurance by paying Rs.1,00,000/- which is required under Rule 23 F of MCD&R 1988 which shall be implemented under Rule 27(1) (u) of MC Rules, 1960.

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11. The lessee holder has not furnished Monthly Returns in From – F3 since inception of the lease which is required under Rule 45 (1) (a) (vii) of MCD&R 1988 which shall be implemented under Rule 27(1) (u) of MC Rules, 1960.
12. The lessee holder has not furnished Annual Returns in From – H3 since inception of the lease which is required under Rule 45 (i) (C) (vii) of MCD&R 1988 which shall be implemented under Rule 27(1) (u) of MC Rules, 1960.
11. The lessee holder has not furnished Annual Monthly Returns in From – G since inception of the lease as he is utilizing explosive which is required under Rule 45 (1) (a) (vii) of MCD&R 1988 which shall be implemented under Rule 27(1) (u) of MC Rules, 1960.

3. Government after considering the report of the Director of Mines & Geology, Hyderabad, it was proposed to lapse the above mining lease held by M/s. Modimamba Minerals and accordingly, a show cause notice was issued in the reference 4th read above under rule 28 (1) of Mineral Concession Rules, 1960 as to why the Mining Lease held by them shall not be declared as lapsed and submit their explanation/ representation within 15 days failing which it will be construed that they have no explanation/ representation on the action proposed and further action will be taken on the material available with the Government.

4. It should be noted in this regard that mineral wealth is the wealth of the nation and should be put to use for public good. Government gave mining lease so that the lessee could do mining scientifically within the prescribed time limits and use the mined mineral. Such a mine would generate revenue for the State by way of taxes, employment for the local people and give boost to the overall economy of the region besides industrializing the area. None of these objectives could be achieved due to the abject failure of the lessee.

5. Government after careful consideration of the matter have decided to declare the Mining Lease held by M/s. Modimamba Minerals for Laterite and Clay over an extent of 7.50 Hectares in Sy. No.98/1 & 2, 99 etc., of Pedajadumuru (V), Chintapalli (M), Visakhapatnam District, as lapsed under Rule 28(1) of M.C Rules, 1960, as the lessee has failed to fulfill the lease conditions.

6. The Director of Mines & Geology, Govt., of A.P., Hyderabad shall take necessary action accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

J.S.V. PRASAD
PRINCIPAL SECRETARY TO GOVERNMENT

To

M/s. Modimamba Minerals,

Mg. Part: Sri S. Govinda Rao,

Pedajadumuru Village, G.K. Veedhi Mandal,

Visakhapatnam District. (BY RPAD)

The Director of Mines & Geology, Govt. A.P., Hyderabad(with connected file).

Copy to:

The Zonal Joint Director of Mines & Geology), Visakhapatnam.

The Deputy Director of Mines & Geology, Visakhapatnam.

The Assistant Director of Mines & Geology, Visakhapatnam.

The District Collector, Visakhapatnam.

The Secretary to Govt. of India, Ministry of Mines, Sastry Bhavan, New Delhi-110001.

The Controller General, Indian Bureau of Mines, Indira Bavan, Civil Lines, Nagpur.440001.

The Director General, Mines Safety, Dhanbad, Jarkand.

The Regional Controller of Mines, Koti, Hyderabad.

SF/SCs (C.No.19701/M.II(1)/2013)

//FORWARDED :: BY ORDER//

SECTION OFFICER